

Notice of Allowability	Application No.	Applicant(s)	
	09/852,127	VAINIO ET AL.	
	Examiner	Art Unit	
	Michael A Lewis	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers received on 5/9/01.
2. ☒ The allowed claim(s) is/are 1- 28.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 60/209,860 .
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 1 – 28 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 10 & 23, Vainio (US6230125) discloses an apparatus/method comprising: a channel decoder (44), responsive to an encoded signal received over a transmission channel (42), for providing a channel decoded signal (46) (Fig 5, Fig. 6). However, Vainio do not teach an iterative processor (52), responsive to the channel decoded signal (46), for providing a synthesized speech signal (54) and for providing a modification command signal (60); and a synthesized signal modifier (58), responsive to the synthesized speech signal (54) and to the modification command signal (60), for providing a synthesized output signal (62) meeting typicality standards which vary with channel quality deficiency.

Regarding independent claim 21, Vainio (US6230125) discloses an apparatus/method comprising: a channel decoder (44), responsive to an encoded signal received over a transmission channel (42), for providing a channel decoded signal (46) (Fig 5, Fig. 6). However, Vainio do not teach executing an interactive signal processing step, in response to the channel decoded signal, for providing synthesized speech signal meeting typicality

requirements which vary with channel quality deficiency. In addition, Cloutier (US5847771) describes an interactive application processor in Fig 5(102) for controlling streams of MPEG data in a digital entertainment terminal. Craig (US 5790176) teaches the use of an interactive process for processing incoming commands from subscribers sites once a session is established (Col 14, Lines 21 30). However, neither Cloutier or Craig or the combination teach executing an interactive signal processing step, in response to the channel decoded signal, for providing synthesized speech signal meeting typicality requirements which vary with channel quality deficiency.

Furthermore, the limitations highlighted above is not taught by any other prior art of record and it would not have been obvious to one of ordinary skill in the art to modify the teachings of the prior art of record to meet the recited claim limitations above.

Dependent claims 2 – 9, 11 – 20, 22, 23 & 25 - 28 are allowable over the prior art of record because these claims depend from claims that have been determined to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays,

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should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Bhaskar et al (US 6154499)

Craig (US 5790176)

Cloutier et al. (US5847771)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Lewis whose telephone number is 703 305-8730. The examiner can normally be reached on Monday through Friday, 8:30 am – 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, To Doris can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lewis A Michael
Examiner
Art Unit 2655

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8/4/2004